

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: IOWA TELECOMMUNICATIONS SERVICES, INC., d/b/a IOWA TELECOM	DOCKET NO. TF-02-232
---	----------------------

ORDER DENYING APPLICATION FOR REHEARING

(Issued July 26, 2002)

On May 30, 2002, Iowa Telecommunications Services, Inc., d/b/a Iowa Telecom (Iowa Telecom), filed with the Utilities Board (Board) a proposed tariff removing Local Area Data Service (LADS) and certain private line services from its tariff placing those services in a deregulated catalog. The tariff has been identified as Docket No. TF-02-232.

On June 17, 2002, Iowa Independent Advanced Telecommunications Association (IIATA) and LTDS Corporation (LTDS) filed a joint objection to Iowa Telecom's tariff and requested the tariff be docketed for investigation. The Board approved Iowa Telecom's tariff in its "Order Approving Tariff, Granting Wavier, and Denying Request to Docket Tariff," issued June 28, 2002.

On July 18, 2002, IIATA and LTDS submitted a joint application for rehearing requesting the Board docket Iowa Telecom's tariff for investigation. In their application, IIATA and LTDS assert that the Board incorrectly relied upon its decisions in *Northwestern Bell Telephone Co.*, Docket No. RPU-84-8, and In re:

Deregulation of Competitive IntraLATA Interexchange Services, Docket

No. INU-95-3, when allowing the services to be removed from Iowa Telecom's tariff. Specifically, IIATA and LTDS suggest that Iowa Telecom's services are not the same as high and low capacity intraexchange and high capacity interexchange private line digital services, already determined as deregulated services in Docket Nos. RPU-84-8, and INU-95-3. In addition, IIATA and LTDS assert that Iowa Telecom should be required to prove that the services proposed to be remove from its tariff are subject to effective competition as outlined in Iowa Code § 476.1D.

While the definitions of high and low capacity intraexchange and high capacity interexchange private line digital services may have been modified by technology advancements, those services remain dedicated, non-switched private line services, which are deregulated services. The services removed from Iowa Telecom's tariff are also dedicated, non-switched private line services already deregulated by the Board. As these services have been deregulated, Iowa Telecom is not required to prove again that they should be deregulated under Iowa Code § 476.1D. Therefore, the Board will deny IIATA's and LTDS' application for rehearing.

IT IS THEREFORE ORDERED:

The joint application for rehearing filed by Iowa Independent Advanced Telecommunications Association and LTDS Corporation on July 18, 2002, is denied.

UTILITIES BOARD

/s/ Diane Munns

/s/ Mark O. Lambert

ATTEST:

/s/ Sharon Mayer
Executive Secretary, Assistant to

/s/ Elliott Smith

Dated at Des Moines, Iowa, this 26th day of July, 2002.